

The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

February 7, 2005

**CERTIFIED MAIL**  
**7000 1670 0001 2915 7486**  
**RETURN RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION**

Normandeau Associates, Inc.  
25 Nashua Road  
Bedford, NH 03110

Attn: Pamela Hall, President

**Re: Normandeau Associates, Inc.**  
**Bedford, New Hampshire**  
**EPA ID # NHD048720544**

Dear Mr. Hasevlat:

On January 12, 2005, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Normandeau Associates, Inc. ("Normandeau"); located at 25 Nashua Road in Bedford, NH. The purpose of the inspection was to determine Normandeau's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

1. Env-Wm 504.02(d) and Env-Wm 504.02(b)(7)- Generator Notification

At the time of inspection, according to DES notification records, Normandeau had notified as a Full Quantity Generator (>1000 kilograms/ month). However, a review of waste disposal records indicates that Normandeau's generator status may be that of a Small Quantity Generator (< 100 kilograms/ month).

Env-Wm 504.02(d) requires that a generator shall notify DES verbally or in writing of any changes to the information required in Env-Wm 504.02(b), including generator status, within 30 days of the effective date of the change.

DES requested that Normandeau review its facility hazardous waste generation rates in order to determine its proper generator status; and if necessary, complete and submit a subsequent notification form that accurately reflects the change in generator status.

*In a January 26, 2005 submittal Robert Hasevlat, Environmental Health & Safety Manager provided a subsequent notification form to DES. The subsequent notification changed Normandeau's generator status from Full Quantity Generator (>1000 kilograms) to a Small Quantity Generator (<100 kilograms). No further action is required.*

2. Env-Wm 509.02(a)(1) - Inspection Requirements

At the time of the inspection, Normandeau had not documented weekly inspections of the 90-day hazardous waste storage area for 38 out of 156 weeks during the last three years, including 18 of the 26 weeks immediately prior to the inspection.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, General Inspection Requirements, requires full quantity generators to conduct and document inspections of the facility, including the hazardous waste storage area(s).

DES requested that Normandeau ensure that weekly inspections of its hazardous waste storage areas are performed and documented.

*Due to the January 26, 2005 change in generator status, Normandeau is no longer required to perform weekly inspections of the hazardous waste storage area. However, if the hazardous waste generation rate increases to greater than 100 kilograms in any one month, weekly inspections will be required. No further action is required.*

3. Env-Wm 509.02(a)(2) – Personnel Training

A review of Normandeau's personnel training records revealed that two (2) employees, Robert Hasevlat, Primary Emergency Coordinator, and Michael Martaragas, Alternate Emergency Coordinator, had not taken part in annual hazardous waste training reviews during two (2) of the last five (5) years.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for personnel handling hazardous waste, and requires full quantity generators to maintain specific documents and records related to personnel training.

DES requested that Normandeau conduct and document hazardous waste training and annual reviews for all employees who handle hazardous waste, and maintain a written personnel training program which provides a description of the type and amount of introductory and continuing training that is given to persons filling each hazardous waste related position.

*Due to the January 26, 2005 change in generator status, Normandeau is no longer required to provide annual hazardous waste training. However, if the hazardous waste generation rate increases to greater than 100 kilograms in any one month, annual hazardous waste training will be required. No further action is required.*

4. Env-Wm 509.02(a)(5) – Contingency Plan

At the time of the inspection, the contingency plan maintained at the facility was not up-to-date because it contained incorrect emergency phone numbers and inaccurate facility lay-out and process information.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Normandeau revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module and submit the revised plan or revised portions of the plan to the local police department, fire department, hospital, and state and local emergency response teams.

*Due to the January 26, 2005 change in generator status, Normandeau is no longer required to maintain a contingency plan. However, if the hazardous waste generation rate increases to greater than 100 kilograms in any one month, an updated contingency plan will be required. No further action is required.*

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of documents that corroborate the corrective measures taken by Normandeau to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may re-inspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am

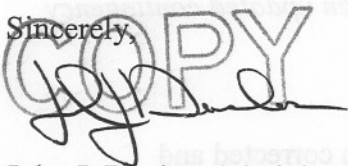


requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, the Division currently maintains a Hazardous Waste Assistance Hotline which is available for the public to contact our knowledgeable staff of hazardous waste inspectors. The hazardous waste staff members are available to answer questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program, including the administrative plans and documents required under the Hazardous Waste Rules. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets on specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policies, regulatory interpretation letters and networking with other state or federal agencies to answer any questions at a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll-free at (1-866) HAZ-WAST (in-state only) or at (603) 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Robert Bishop, or Tod Leedberg of the Hazardous Waste Compliance Bureau at 271-2942. Thank you for your cooperation.

Sincerely,



John J. Duclos, Administrator  
Hazardous Waste Compliance Bureau  
Waste Management Division

cc: DB/RCRA/NOPV/Archives  
Anthony P. Giunta, P.G., Director, WMD  
Gretchen Hamel, Administrator, DES Legal Unit  
Paul L. Heirtzler, P.E., Administrator, Waste Management Programs, WMD  
Robert Hasevlat, Environmental Health and Safety Manager, Normandeau Associates, Inc., 25 Nashua Road, Bedford, NH 03110

E-mail: JJD/SD

Enclosure: Hazardous Waste Generator Inspection Report